

Message Text

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17

ACTION DLOS-06

INFO OCT-01 EA-11 ISO-00 L-03 COA-02 INT-08 CG-00 DOTE-00

CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SPC-03 SS-20 NSCE-00 SSO-00

USIE-00 INRE-00 CEQ-02 COME-00 EB-11 EPA-04 IO-14

NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11 AGR-20 FMC-04

JUSE-00 OMB-01 DRC-01 /186 W

----- 007227

O 290830Z MAR 74

FM AMEMBASSY CANBERRA

TO AMEMBASSY JAKARTA NIACT IMMEDIATE

INFO SECSTATE WASHDC IMMEDIATE 2889

C O N F I D E N T I A L CANBERRA 1889

PASS JOHN NORTON MOORE (LOS TEAM)

E.O. 11652: GDS

TAGS: PBOR, ID, AS

SUBJ: LOS: VISIT OF LOS TEAM TO CANBERRA

REF: STATE 063020

1. EMBOFF SPOKE WITH ACTING LEGAL ADVISER GILCHRIST OF DEPARTMENT OF FOREIGN AFFAIRS AFTERNOON MAR 29 ABOUT POSSIBLE VISIT OF LOS TEAM TO CANBERRA. GILCHRIST INVITED JOHN BAILEY ANOTHER DFA LAWYER TO BE PRESENT. GILCHRIST NOTED THAT ALLAN LOOMES, LEGAL ADVISOR OF DFA, HAD GONE ON RECREATION LEAVE PRIOR TO OVERSEAS POSTING AND WOULD NOT BE AVAILABLE IN CANBERRA DURING LOS PROPOSED VISIT.

2. BOTH GILCHRIST AND BAILEY WERE PLEASED AT POSSIBILITY THAT MOORE AND OXMAN AND POSSIBLY OTHER MEMBERS OF LOS TEAM WERE ABLE TO COME TO CANBERRA AS EARLY AS APRIL 1 OR 2. IN DISCUSSING
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POSSIBLE MEETINGS HERE, GILCHRIST NOTED APRIL 3 THROUGH 5

WERE IMPRACTICAL SINCE DFA AND OTHER DEPARTMENTS CONCERNED WOULD BE TIED UP IN MEETINGS WITH DELEGATION FROM PAPUA NEW GUINEA. WITH REGARD TO MEETING ON APRIL 1 AND 2, FOLLOWING SCENERIOS WERE SUGGESTED:

A. IF U.S. TEAM COULD DEPART JAKARTA MAR 30, ARRIVING SYDNEY MORNING MAR 31, AND IN CANBERRA ABOUT NOONTIME, IT WOULD BE POSSIBLE FOR TEAM TO HAVE SOME REST BEFORE DISCUSSIONS WITH AUSTRALIAN OFFICIALS. IN THIS CASE, GILCHRIST WOULD BE AVAILABLE TO MEET WITH TEAM BEGINNING ABOUT 11:00 AM, MONDAY MORNING, APRIL 1. REMAINDER OF SCHEDULE WOULD BE MEETINGS MONDAY AFTERNOON WITH DFA AND POSSIBLY SOME OTHER DEPARTMENTS. ON TUESDAY AFTERNOON, APRIL 2, TEAM WOULD HAVE OPPORTUNITY TO MEET WITH LOS INTER-DEPARTMENTAL COMMITTEE SINCE MEETING OF THIS GROUP IS ALREADY SCHEDULED AND TOPIC WOULD BE CHANGED TO ACCOMMODATE VISITING U.S. TEAM. (GILCHRIST INDICATED HE WOULD NOT BE AVAILABLE ON TUESDAY MORNING EXCEPT POSSIBLY FOR A COURTESY CALL BY THE TEAM AT FOREIGN AFFAIRS. BAILEY, HOWEVER, INDICATED HE PERSONALLY WOULD BE AVAILABLE AT LEAST PART OF TUESDAY MORNING, "UP TO AN HOUR OR SO" FOR "SUBSTANTIVE DISCUSSIONS" WITH THE TEAM.)

B. TEAM COULD LEAVE JAKARTA MAR 31 ON OVERNIGHT FLIGHT TO SYDNEY. THEY WOULD ARRIVE IN CANBERRA ABOUT NOON ON MONDAY APRIL 1. SINCE THIS FLIGHT IS ONEROUS, GILCHRIST SUGGESTED TEAM WOULD WISH TO REST AFTERNOON APRIL 1, AFTER WHICH IT COULD PICK UP TUESDAY SCHEDULE GIVEN ABOVE.

3. IF POSSIBLE, EMBASSY WOULD RECOMMEND TEAM FOR OPTING (A) ABOVE. THIS WOULD GIVE TEAM BETTER PART OF TWO DAYS AND ALLOW TALKS ON SPECIFIC SUBJECTS WITH BOTH DFA AND AUSTRALIAN DEFENCE DEPARTMENT REPS (MONDAY AFTERNOON, APRIL 1) ON SUCH MATTERS AS ARCHIPELAGOS AND STRAITS TO BE FOLLOWED BY MEETING ON ADDITIONAL OTHER MATTERS WITH INTERDEPARTMENTAL GROUP AFTERNOON APRIL 2. IN EITHER CASE, IF ADDITIONAL INFORMATION NEEDS TO BE SENT FROM WASHINGTON ON LOS SUBJECTS, IT COULD POSSIBLY BE SENT TO CANBERRA FOR RECEIPT ON MORNING OF APRIL 2 (I.E., BEFORE MEETING WITH INTERDEPARTMENTAL GROUP AT 2:00 PM SAME DAY). BAILEY INDICATED THAT MEETING WITH INTERDEPARTMENTAL GROUP COULD EXTEND LONGER THAN NORMAL WORKING DAY OR "AS LONG AS YOU WANT" ALTHOUGH GILCHRIST SEEMED TO FAVOR CLOSING DOWN MEETING ABOUT 5:30 PM.

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4. IN THIS CONVERSATION, IT BECAME ABUNDANTLY CLEAR THAT IF TEAM SHOULD WAIT UNTIL LATE MAY TO VISIT CANBERRA, AUSTRALIAN POSITION ON ARCHIPELAGOS AND STRAITS AND MANY OTHER LAW OF THE SEA MATTERS WOULD BE "PUT IN CONCRETE" TO USE BAILEY'S EXPRESSION. EXPECTATION IS THAT BY END OF APRIL, AUSTRALIAN PRESENTATION TO MINISTERS OF COMPLETE PACKAGE ON AUSTRALIAN LOS POSITIONS FOR CARACAS CONFERENCE WILL HAVE BEEN SENT FORWARD. GILCHRIST INDICATED

THAT DISCUSSIONS WITH U.S. LOS TEAM AT END OF MAY OR EARLY JUNE
WOULD THEREFORE INVOLVE ONLY TACTICS OF PRESENTATION AT CARACAS
OF POSITIONS ALREADY APPROVED AT MINISTERIAL LEVEL IN
AUSTRALIAN GOVERNMENT.

5. BOTH GILCHRIST AND BAILEY WERE EMPHATIC IN THEIR DESIRE TO
HAVE MOORE AND OXMAN VISIT ON APRIL 1 AND 2 IF AT ALL POSSIBLE.
THEY HAVE AGREED TO ACCOMMODATE TEAM TO EXTENT POSSIBLE ON THOSE
DATES SPECIFICALLY BY OFFER
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